

UNITED STATES DISTRICT COURT

Southern

District of New York

A.W. FINANCIAL SERVICES, S.A., as
successor in interest to
TERTIAIRE INVESTISSEMENT, S.A.
Plaintiff

SUMMONS IN A CIVIL ACTION

V.

EMPIRE RESOURCES, INC.,
AMERICAN STOCK TRANSFER & TRUST
COMPANY, and AFFILIATED COMPUTER
SERVICES, INC.,
Defendants.

CASE NUMBER:

07 CIV 8491

JUDGE STEIN

TO: (Name and address of Defendant)

Empire Resources, Inc., One Parker Plaza, Fort Lee, NJ 07024;
American Stock Transfer & Trust Company, 59 Maiden Lane, Plaza Level, New York, NY 10038
Affiliated Computer Services, Inc., 2828 North Haskell, Dallas, TX 75204

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Phillips Nizer LLP
666 Fifth Avenue
New York, NY 10103

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 28 2007

CLERK

DATE

(By) DEPUTY CLERK

United States District Court
Southern District of New York

A.W. Financial Services, S.A., as successor in
interest to Tertiaire Investissement, S.A.

Plaintiff,

-against-

AFFIDAVIT OF SERVICE

Case # 07 CIV 8491

Empire Resources, Inc., American Stock
Transfer & Trust Company, and Affiliated
Computer Services, Inc.,


Defendants.

CITY OF ALBANY SS:
STATE OF NEW YORK

Denise L. Dooley, being duly sworn says: Deponent is over the age of eighteen years and is a resident of New York State, that: Deponent served the following specific papers in the above entitled action: Summons in a Civil Action, Complaint, Civil Cover Sheet, Individual Practices of Magistrate Judge Ronald L. Ellis and Individual Practices of Judge Sidney H. Stein, under Section 306 of the Business Corporation Law. The corporation which was served was: **EMPIRE RESOURCES, INC.**


That on the 10th day of October, 2007 at approx. 1:30 p.m., at the office of Department of State of New York, in the City of Albany, two (2) copies of the aforesaid papers were served by personally delivering to and leaving with Carol Vogt known to me to be in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid to the Secretary of State the fee prescribed by Law in the amount of \$40.00.

Description of Carol Vogt - Senior Corporation Search Clerk
white female, approx. 50 yrs., 5'2", 120 lbs., brown hair



Denise L. Dooley

Sworn to before me
this 10th day of October 2007.



FRANK J. PANUCCI
Notary Public, State of New York
Qualified in Albany County
No. 4721156
Commission Expires July 31, 2010